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11 AMAZON WEB SERVICES, INC., and
12 TWITCH INTERACTIVE, INC.

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN JOSE DIVISION

16 IN RE: PERSONAL WEB TECHNOLOGIES,
LLC ET AL., PATENT LITIGATION

17 AMAZON.COM, INC., and AMAZON WEB
SERVICES, INC.,

18 Plaintiffs

19 v.

20 PERSONALWEB TECHNOLOGIES, LLC and
LEVEL 3 COMMUNICATIONS, LLC,

21 Defendants,

22 PERSONALWEB TECHNOLOGIES, LLC, and
23 LEVEL 3 COMMUNICATIONS, LLC,

24 Plaintiffs,

25 v.

26 TWITCH INTERACTIVE, INC.,

27 Defendant.

Case No.: 5:18-md-02834-BLF

Case No.: 5:18-cv-00767-BLF

Case No.: 5:18-cv-05619-BLF

**REQUEST OF AMAZON.COM, INC.,
AMAZON WEB SERVICES, INC., AND
TWITCH INTERACTIVE, INC. FOR
ENTRY OF JUDGMENT PURSUANT
TO FEDERAL RULE OF CIVIL
PROCEDURE 58(d)**

Amazon.com, Inc., Amazon Web Services, Inc., and Twitch Interactive, Inc. (collectively, “Amazon”) request that the Court enter a separate judgment under Federal Rule of Civil Procedure 58(d). On March 2, 2021, the Court awarded Amazon \$4,615,242.28 in attorney fees and \$203,300.10 in non-taxable costs. (Dkt. 648.) On April 19, 2021, the Court granted an additional \$571,961.71 in attorney fees and \$11,120.97 in non-taxable costs in a separate order. (Dkt. 656.) Although the Federal Rules provide that the Court’s attorney fee orders have the same effect as a judgment (*see* Fed. R. Civ. P. 58(a)(3)), Amazon requires a separate judgment to enforce the Court’s award in other forums.

The amount of post-judgment interest that has accrued since entry of the fee orders is \$1,497.62. Under 28 U.S.C. § 1961, post-judgment interest “shall be calculated from the date of the entry of the judgment, at a rate equal to the weekly average 1-year constant maturity Treasury yield, as published by the Board of Governors of the Federal Reserve System, for the calendar week preceding the date of the judgment.” The weekly average for the calendar week preceding entry of the March 2, 2021 order was 0.08% (*see* <https://www.federalreserve.gov/releases/H15/>), and there are 134 days between that order and this Application, including the filing date of July 14, 2021. \$1,415.19 of interest has accrued on this portion of the award. The weekly average for the calendar week preceding entry of the April 19, 2021 order was 0.06%, and there are 86 days between that order and this Application. \$82.43 of interest has accrued on this portion of the award. Amazon submits herewith a proposed form of judgment.

On July 13, counsel for Amazon contacted counsel for PersonalWeb to ask whether PersonalWeb had any objections to the request and proposed judgment. PersonalWeb has not yet provided any objections to date.

Respectfully submitted,

Dated: July 14, 2021

FENWICK & WEST LLP

By: /s/Todd R. Gregorian
TODD R. GREGORIAN (CSB No. 236096)

Attorneys for AMAZON.COM, INC.,
AMAZON WEB SERVICES, INC., and
TWITCH INTERACTIVE, INC.